

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

FILED
for Roanoke
APR 10 2012

JULIA Q. DUDLEY, CLERK
BY: *M. Stepp*
DEPUTY CLERK

JOHN ANGLOW SMITH,
Plaintiff,

) Civil Action No. 7:12-cv-00150
)
)

v.

) **ORDER**
)
)

BRAD NESSAROLDE,
Defendant.

) By: Hon. Jackson L. Kiser
) Senior United States District Judge
)

In accordance with the written Memorandum Opinion entered this day, it is hereby

ORDERED

that plaintiff is **GRANTED** leave to proceed in forma pauperis; the complaint is **DISMISSED**
without prejudice for failing to state a claim upon which relief may be granted, pursuant to 28
U.S.C. § 1915(e)(2)(b)(ii); and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum
Opinion to plaintiff.

ENTER: This 10th day of April, 2012.

Jackson L. Kiser
Senior United States District Judge